

No. 67

MICHIGAN SENATE

DAILY CALENDAR

TUESDAY, SEPTEMBER 10, 2013
10:00 a.m.

MOTIONS

1

(Consideration postponed until Saturday, December 28.)

SB 95 Sen. Hopgood

Labor; collective bargaining; requirement for agency fee for nonunion members; allow in bargaining agreements and as condition of employment in private sector.

Amends secs. 1, 2, 8, 14, 17 & 22 of 1939 PA 176 (MCL 423.1 et seq.).

Motion to discharge Committee on Reforms, Restructuring and Reinventing pending.

2

(Consideration postponed until Saturday, December 28.)

SB 96 Sen. Hopgood

Labor; collective bargaining; requirement for agency fee for nonunion members; allow in bargaining agreements and as condition of employment in public sector.

Amends secs. 9, 10 & 15 of 1947 PA 336 (MCL 423.209 et seq.).

Motion to discharge Committee on Reforms, Restructuring and Reinventing pending.

3

(Consideration postponed until Saturday, December 28.)

SB 145 Sen. Johnson

Individual income tax; deductions; pension tax; eliminate limitations and restrictions.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

Motion to discharge Committee on Finance pending.

4

(Consideration postponed until Saturday, December 28.)

SB 280 Sen. Jones

Individual income tax; income; limitations and restrictions on deduction of certain retirement or pension benefits, treatment of senior citizens, and the homestead property tax credit; eliminate and restore.

Amends secs. 30, 520 & 522 of 1967 PA 281 (MCL 206.30 et seq.).

Motion to discharge Committee on Finance pending.

THIRD READING OF BILLS

5

SB 80 Sen. Hansen

School aid; other; reporting of certain expenditures; require.

Amends sec. 18 of 1979 PA 94 (MCL 388.1618).

Reported by Committee on Education.

Senate substitute (S-3).

Committee recommended I.E.

THIRD READING OF BILLS

6

SB 81 Sen. Hansen

Education; school districts; limitations on certain uses of school district funds; provide for.

Amends secs. 1254 & 1814 of 1976 PA 451 (MCL 380.1254 & 380.1814).

Reported by Committee on Education.

Senate substitute (S-2).

Committee recommended I.E.

7

SB 459 Sen. Colbeck

Insurance; health; qualified health plans and private exchanges; establish in this state to ensure access to quality health care.

Creates new act.

Reported by Committee on Government Operations.

Senate substitute (S-1).

Committee recommended I.E.

8

SB 460 Sen. Colbeck

Human services; medical services; all medical assistance program recipients; enroll in certain certified qualified health plans.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 105c.

Reported by Committee on Government Operations.

Senate substitute (S-1).

Committee recommended I.E.

9

HB 4094 Rep. Johnson

Natural resources; hunting; punishment for taking game in another state; prohibit.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 40109a.

I.E. House, March 7, 2013.

House substitute (H-1).

Reported by Committee on Outdoor Recreation and Tourism.

Committee recommended I.E.

10

SB 315 Sen. Emmons

Agriculture; products; potato industry commission; modify provisions for operations and determining assessment rates.

Amends secs. 1, 2, 3, 4, 8 & 9a of 1970 PA 29 (MCL 290.421 et seq.).

Reported by Committee on Agriculture.

Committee recommended I.E.

THIRD READING OF BILLS

11

SB 332 Sen. Moolenaar
Agriculture; fertilizer; certain organic lawn fertilizer; allow.
Amends secs. 8501 & 8512b of 1994 PA 451 (MCL 324.8501 & 324.8512b).
Reported by Committee on Agriculture.
Committee recommended I.E.

12

SB 351 Sen. Meekhof
Environmental protection; cleanups; fertilizers and other soil conditioners; clarify that appropriate application is not a release.
Amends sec. 20101 of 1994 PA 451 (MCL 324.20101).
Reported by Committee on Agriculture.
Committee recommended I.E.

13

SB 354 Sen. Jones
Animals; animal shelters; methods of euthanizing animals; restrict to injection of certain commercially prepared solutions.
Amends 1969 PA 287 (MCL 287.331 - 287.340) by adding sec. 8b.
Reported by Committee on Agriculture.
Senate substitute (S-1).
Committee recommended I.E.

14

SB 373 Sen. Hansen
Health; pharmaceuticals; board of pharmacy to approve pilot project for innovative applications; allow.
Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 17723.
Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

15

SB 49 Sen. Casperson
Weapons; licensing; certain firearm licensing information; exempt from freedom of information act.
Amends secs. 2 & 2a of 1927 PA 372 (MCL 28.422 & 28.422a).
Reported by Committee on Judiciary.
Committee recommended I.E.

16

SB 63 Sen. Pavlov
Weapons; firearms; Michigan firearms freedom act; create.
Creates new act.
Reported by Committee on Judiciary.
Committee recommended I.E.

GENERAL ORDERS

17

SJR F Sen. Bieda
Courts; judges; election of or appointment to a judicial office of person who has reached 70 years of age; remove prohibition.
Amends sec. 19, art. VI of the state constitution.
Reported by Committee on Judiciary.

18

HB 4111 Rep. Haveman
Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2012-2013.
Creates appropriation act.
I.E. House, February 28, 2013.
House substitute (H-1).
Rules suspended, placed on General Orders, Tuesday, March 5.

19

SB 169 Sen. Kowall
Traffic control; traffic regulation; autonomous driving; authorize under certain circumstances.
Amends title, division heading & sec. 244 of 1949 PA 300 (MCL 257.244) & adds secs. 2b, 663, 664, 665, 666 & 817.
Reported by Committee on Transportation.
Senate substitute (S-2).
Committee recommended I.E.

20

SB 131 Sen. Hopgood
Family law; child custody; granting of custody or parenting time for parent convicted of certain sexual offenses; prohibit.
Amends 1970 PA 91 (MCL 722.21 - 722.31) by adding sec. 5a.
Reported by Committee on Judiciary.
Committee recommended I.E.

21

SB 229 Sen. Moolenaar
Natural resources; funding; natural resources trust fund; clarify that money may be expended for dredging of harbors for use by recreational watercraft.
Amends sec. 1903 of 1994 PA 451 (MCL 324.1903).
Reported by Committee on Outdoor Recreation and Tourism.
Committee recommended I.E.

22

SB 227 Sen. Smith
Economic development; neighborhood enterprise zones; population requirements for eligibility; revise.
Amends sec. 2 of 1992 PA 147 (MCL 207.772).
Reported by Committee on Economic Development.
Senate substitute (S-1).
Committee recommended I.E.

23

SB 269 Sen. Kowall
State financing and management; funds; 21st century jobs trust fund; modify.
Amends secs. 7 & 8 of 2000 PA 489 (MCL 12.257 & 12.258).
Reported by Committee on Economic Development.
Committee recommended I.E.

GENERAL ORDERS

24

SB 278 Sen. Kowall
Economic development; Michigan strategic fund; investment fund; modify.
Amends sec. 88h of 1984 PA 270 (MCL 125.2088h).
Reported by Committee on Economic Development.
Committee recommended I.E.

25

SB 136 Sen. Moolenaar
Health; other; religious liberty and conscience protection act; enact to allow health care payers, health facilities, and health providers a right to decline to provide or pay for certain objectionable health care services.
Creates new act.
Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

26

SB 155 Sen. Brandenburg
Michigan business tax; administration; gross receipts, certain credit, and unitary filing provisions; modify to clarify original intent.
Amends secs. 111, 113, 403 & 511 of 2007 PA 36 (MCL 208.1111 et seq.).
Reported by Committee on Finance.
Committee recommended I.E.

27

SB 156 Sen. Brandenburg
Michigan business tax; administration; gross receipts, certain credit and apportionment provisions; modify to clarify original intent.
Amends secs. 111, 305, 403 & 433 of 2007 PA 36 (MCL 208.1111 et seq.).
Reported by Committee on Finance.
Committee recommended I.E.

28

SB 76 Sen. Booher
Criminal procedure; sex offender registration; loitering within 1,000 feet of day care center; prohibit, and regulate certain other conduct in school safety zones.
Amends secs. 34 & 35 of 1994 PA 295 (MCL 28.734 & 28.735).
Reported by Committee on Judiciary.
Senate substitute (S-3).
Committee recommended I.E.

29

SB 77 Sen. Booher
Criminal procedure; sentencing guidelines; sentencing guidelines for crime of registered sex offender loitering within 1,000 feet of a day care center; enact.
Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL 777.11b).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

30

SB 285 Sen. Bieda
Crimes; animals; penalties for crimes against animals; enhance, and make other revisions.
Amends secs. 50 & 50b of 1931 PA 328 (MCL 750.50 & 750.50b).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

31

SB 286 Sen. Jones
Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of animal cruelty; enact and amend.
Amends secs. 16b, 34, 40, 46 & 49, ch. XVII of 1927 PA 175 (MCL 777.16b et seq.).
Reported by Committee on Judiciary.
Committee recommended I.E.

32

SB 2 Sen. Jansen
Occupations; nurses; advanced practice registered nurse (a.p.r.n.); establish license for nurse midwives, nurse practitioners, and clinical nurse specialists and provide other general amendments.
Amends secs. 2701, 5119, 16125, 16161, 16163, 16216, 16231, 16231a, 16327, 17201, 17210, 17211, 17212, 17221, 17607, 17708, 17745, 17820, 17822, 18301 & 20201 of 1978 PA 368 (MCL 333.2701 et seq.) & adds secs. 17202, 17210a, 17211a, 17214 & 17221a.
Reported by Committee on Reforms, Restructuring and Reinventing.
Senate substitute (S-1).
Committee recommended I.E.

33

SB 211 Sen. Rocca
Worker's compensation; disabilities; occupational cancer; provide presumption for certain firefighters regarding.
Amends sec. 405 of 1969 PA 317 (MCL 418.405).
Reported by Committee on Judiciary.
Committee recommended I.E.

34

HB 4139 Rep. McMillin
Criminal procedure; other; provision relating to proceedings to prevent crime; repeal.
Repeals ch. XII of 1927 PA 175 (MCL 772.1 - 772.15).
I.E. House, April 11, 2013.
Reported by Committee on Judiciary.
Committee recommended I.E.

35

HB 4138 Rep. McMillin
Military affairs; other; restriction of activities by Michigan national guard and state and local employees; provide for under certain circumstances.
Creates new act.
I.E. House, April 18, 2013.
House substitute (H-1).
Reported by Committee on Veterans, Military Affairs and Homeland Security.
Committee recommended I.E.

GENERAL ORDERS

36

SB 104 Sen. Anderson

Property tax; exemptions; tax exemption for certain disabled veterans; provide for.

Amends 1893 PA 206 (MCL 211.1 - 211.155) by adding sec. 7ll.

Reported by Committee on Finance.

Senate substitute (S-3).

Committee recommended I.E.

37

SB 343 Sen. Jones

Weapons; other; exemption for retired federal law enforcement officers to carry weapon in weapon-free zones; provide for.

Amends secs. 1 & 5o of 1927 PA 372 (MCL 28.421 & 28.425o).

Reported by Committee on Judiciary.

Committee recommended I.E.

38

HB 4382 Rep. Cotter

Health; emergency response; do-not-resuscitate orders; authorize guardians to execute and provide other general amendments.

Amends title & secs. 2, 3, 4, 5, 6, 8, 9, 10, 11 & 14 of 1996 PA 193 (MCL 333.1052 et seq.) & adds sec. 3a.

I.E. House, April 18, 2013.

For House amendment, see House Journal No. 34, page 467.

Reported by Committee on Judiciary.

Committee recommended I.E.

39

HB 4383 Rep. LaFontaine

Human services; adult foster care; citation to do-not-resuscitate orders; revise.

Amends sec. 4 of 1979 PA 218 (MCL 400.704).

I.E. House, April 18, 2013.

For House amendment, see House Journal No. 34, page 467.

Reported by Committee on Judiciary.

Committee recommended I.E.

40

HB 4384 Rep. Kurtz

Probate; guardians and conservators; guardian's authority to consent to a do-not-resuscitate order; clarify, and provide procedure.

Amends secs. 1103, 5303, 5305 & 5314 of 1998 PA 386 (MCL 700.1103 et seq.).

I.E. House, April 18, 2013.

For House amendment, see House Journal No. 34, page 467.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

41

SB 176 Sen. Hildenbrand

Mental health; guardians; guardianship petitions for developmentally disabled individual; allow the court to schedule a hearing before the individual turns 18 years of age.

Amends secs. 609, 614 & 618 of 1974 PA 258 (MCL 330.1609 et seq.).

Reported by Committee on Families, Seniors and Human Services.

Committee recommended I.E.

42

HB 4002 Rep. Shirkey

Taxation; administration; interest rate for certain refunds; increase.

Amends sec. 30 of 1941 PA 122 (MCL 205.30).

I.E. House, April 18, 2013.

House substitute (H-3).

Reported by Committee on Finance.

Committee recommended I.E.

43

SB 418 Sen. Hune

Occupations; insurance; travel agents; exempt from being licensed as insurance agents.

Amends sec. 1202 of 1956 PA 218 (MCL 500.1202).

Reported by Committee on Insurance.

Committee recommended I.E.

44

SB 105 Sen. Schuitmaker

Criminal procedure; DNA; collection of DNA samples at time of arrest for committing or attempting to commit a felony offense; provide for in DNA identification profiling system.

Amends title & sec. 2, 3, 3a & 6 of 1990 PA 250 (MCL 28.172 et seq.).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

45

SB 106 Sen. Schuitmaker

Criminal procedure; DNA; collection of DNA samples at time of arrest for committing or attempting to commit a felony offense; provide for in probate code of 1939.

Amends sec. 18k, ch. XIIA of 1939 PA 288 (MCL 712A.18k).

Reported by Committee on Judiciary.

Committee recommended I.E.

46

SB 107 Sen. Jones

Criminal procedure; DNA; collection of DNA samples at time of arrest for committing a felony or attempting to commit a felony offense; provide for in Michigan penal code.

Amends sec. 520m of 1931 PA 328 (MCL 750.520m).

Reported by Committee on Judiciary.

Committee recommended I.E.

GENERAL ORDERS

47

SB 325 Sen. Jones
Children; abduction; uniform child abduction prevention act; create.
Creates new act.
Reported by Committee on Judiciary.
Committee recommended I.E.

48

HB 4262 Rep. Foster
Crimes; weapons; prohibitions against carrying certain weapons; revise.
Amends secs. 226, 227 & 231 of 1931 PA 328 (MCL 750.226 et seq.).
I.E. House, April 9, 2013.
For House amendments, see House Journal No. 25, page 302, and House Journal No. 30, page 409.
Reported by Committee on Judiciary.
Committee recommended I.E.

49

HB 4613 Rep. O'Brien
Housing; landlord and tenants; requirement for lawful reentry by landlord; modify in case of death of tenant.
Amends sec. 2918 of 1961 PA 236 (MCL 600.2918).
I.E. House, May 16, 2013.
Reported by Committee on Judiciary.
Committee recommended I.E.

50

SB 410 Sen. Schuitmaker
Law enforcement; other; certain records of probation to be provided to the Michigan commission on law enforcement standards; require.
Amends sec. 7411 of 1978 PA 368 (MCL 333.7411).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

51

SB 411 Sen. Schuitmaker
Law enforcement; other; Michigan commission on law enforcement standards (MCOLES); create, and provide for powers and duties of that commission.
Amends secs. 1, 2, 3, 5, 6, 7, 9, 9a, 9b, 9c, 9d, 10, 11, 13, 14 & 15 of 1965 PA 203 (MCL 28.601 et seq.); adds secs. 16a, 16b & 16c & repeals secs. 4 & 16 of 1982 PA 302 (MCL 28.604 & 28.616).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

52

SB 412 Sen. Schuitmaker
Law enforcement; funds; administration of Michigan justice training fund; revise to reflect changes made under the Michigan commission on law enforcement standards act.
Amends secs. 1, 2, 3, 4, 5, 6 & 8 of 1982 PA 302 (MCL 18.421 et seq.); adds sec. 7 & repeals sec. 9 of 1982 PA 302 (MCL 18.429).
Reported by Committee on Judiciary.
Committee recommended I.E.

GENERAL ORDERS

53

SB 323 Sen. Caswell
Public employees and officers; compensation and benefits; public employer contribution to medical benefit plan; modify limitation on coverage amount.
Amends sec. 3 of 2011 PA 152 (MCL 15.563).
Reported by Committee on Reforms, Restructuring and Reinventing.
Senate substitute (S-2).
Committee recommended I.E.

54

SB 275 Sen. Hune
Human services; services or financial assistance; suspicion-based drug testing for public assistance recipients; require.
Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 57y.
Reported by Committee on Families, Seniors and Human Services.
Senate substitute (S-1).
Committee recommended I.E.

55

SB 276 Sen. Hune
Human services; other; public assistance recipients to perform community service as a condition of eligibility; require.
Amends sec. 57f of 1939 PA 280 (MCL 400.57f).
Reported by Committee on Families, Seniors and Human Services.
Senate substitute (S-1).
Committee recommended I.E.

56

HB 4118 Rep. Farrington
Human services; services or financial assistance; suspicion-based substance abuse screening and testing; include in eligibility criteria for family independence assistance program benefits.
Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 57y.
House substitute (H-2).
Reported by Committee on Families, Seniors and Human Services.
Senate substitute (S-1).
Committee recommended I.E.

57

HB 4530 Rep. McMillin
Criminal procedure; other; appointment of counsel to indigent person charged with felony; modify.
Amends sec. 16, ch. XV of 1927 PA 175 (MCL 775.16).
I.E. House, June 13, 2013.
Rules suspended, placed on General Orders, Tuesday, June 18.

GENERAL ORDERS

58

- HB 4732** Rep. MacMaster
Construction; code; definition of building; exempt agricultural roadside sale stands.
Amends secs. 2a & 10 of 1972 PA 230 (MCL 125.1502a & 125.1510).
I.E. House, June 5, 2013.
Reported by Committee on Agriculture.
Senate substitute (S-1).
Committee recommended I.E.

59

- SB 324** Sen. Marleau
Occupations; insurance; licensing and regulation for navigators; provide for.
Amends secs. 102, 249a, 1201, 1238 & 1242 of 1956 PA 218 (MCL 500.102 et seq.) & adds secs. 1229, 1230, 1231, 1231a & 1231b.
Reported by Committee on Health Policy.
Senate substitute (S-4).
Committee recommended I.E.

60

- SB 254** Sen. Robertson
Children; parental rights; process for judicial waiver of parental consent requirement; clarify.
Amends secs. 3 & 4 of 1990 PA 211 (MCL 722.903 & 722.904).
Reported by Committee on Judiciary.
Committee recommended I.E.

61

- SB 409** Sen. Jones
Crimes; other; unlawful imprisonment; include as predicate offense for first degree murder.
Amends sec. 316 of 1931 PA 328 (MCL 750.316).
Reported by Committee on Judiciary.
Senate substitute (S-2).
Committee recommended I.E.

RESOLUTIONS

62

- SR 34** Sen. Pappageorge
A resolution to declare any statement or comment by the Governor on legislative intent or enforceability that is expressed in a veto message that applies to a portion of law that is not vetoed to have no legal effect.
Reported by Committee on Appropriations.
For text of resolution, see Senate Journal No. 31, page 397.
Adoption pending.

COMMITTEE REPORTS

63

- SB 311** Sen. Bieda
Crimes; penalties; penalties for selling tobacco product to minor; increase.
Amends secs. 1 & 2 of 1915 PA 31 (MCL 722.641 & 722.642).
Reported by Committee on Judiciary.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

64

- HB 4344** Rep. Stallworth
Law enforcement; other; population threshold for purpose of defining fire arson investigator as a police officer under the commission on law enforcement standards act; revise to not less than 600,000.
Amends sec. 2 of 1965 PA 203 (MCL 28.602).
I.E. House, June 13, 2013.
For House amendments, see House Journal No. 58, page 1226.
Reported by Committee on Judiciary.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

65

- HB 4525** Rep. Graves
Criminal procedure; sentencing guidelines; sentencing guidelines for certain crimes; modify crime class categories.
Amends secs. 16c & 17d, ch. XVII of 1927 PA 175 (MCL 777.16c & 777.17d).
I.E. House, June 12, 2013.
House substitute (H-2).
Reported by Committee on Judiciary.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Appropriations -**Subcommittees -**

State Police and Military Affairs and House State Police Appropriations Subcommittee and House Military and Veterans Affairs Appropriations Subcommittee - Thursday, September 12, 2:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

K-12, School Aid, Education and Education Committee - Thursday, September 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Education and K-12, School Aid, Education Appropriations Subcommittee - Thursday, September 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

SCHEDULED MEETINGS

Education and House Education - Wednesday, September 11, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Michigan Law Revision Commission - Tuesday, September 24, 12:00 noon, Room 405, Capitol Building (373-0212)

Natural Resources, Environment and Great Lakes - Thursday, September 12, 8:30 a.m., Room 210, Farnum Building (373-5312)

SCHEDULED MEETINGS

Reforms, Restructuring and Reinventing - Wednesday, September 11, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

Senate Fiscal Agency Board of Governors - Thursday, September 19, 9:00 a.m., Room S-324, Capitol Building (373-2768)